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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/751,278	12/29/2000	William R. Matz	00882	8926	
	590 10/07/2002				
Thomas J. Edg	gington ockbart LLP	EXAMINER			
Kirkpatrick & Lockhart LLP 535 Smithfield Street Pittsburgh, PA 15222			TRINH, MINH N		
8,			ART UNIT	PAPER NUMBER	
			3729		
			DATE MAILED: 10/07/2002		

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary Comparison of the Comparison of Claims Comparison of Claims			Application No.	Applicant(s)	<u> </u>		
At Unit Minh Triph 3728			09/751,278	MATZ ET AL.			
The MALING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Editesions of time may be setilated under the provisions of 3°CR 113(a). In no worst, however, may a reply be firmely filed with 50.6 (b) MONTHS from the mailing date of this communication. I NO period for reply is specified in his tem than this (0) days, a reply within the adultory minimum of thinty (30) days will be considered timely. Palae to reply willine he set or obtained paried for reply will, by statute, cause the use of the paried by the Office little than three merinal and the mailing date of this communication. Palae to reply willine he set or obtained paried for reply will, by statute, cause the use of the paried by the Office little than three merinal and the mailing date of this communication, even if timely filed, may reduce a strip. Palae to reply willine he set or obtained paried for reply will, by statute, cause the use of the paried palae and the communication. Palae to reply willine he set or obtained paried for reply will, by statute, cause the use of the palae of the communication, even if timely he for the communication. Palae to reply willine he set or obtained paried for reply will, by statute, cause the use of the communication. Palae to reply willine he set or obtained paried for reply will, by statute, cause the use of the communication. Palae to reply willine he set or obtained paried for reply will, by statute, cause the use of the communication. Palae to reply willine he set or obtained paried the mailine date of the communication. Palae to reply willine he set or obtained paried the mailine date of the soft for reply willine to a statute of the mailine date of the mailine date of the mailine date of the palae to the statute of the pa		Office Action Summary	Examiner	Art Unit			
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Application/Control Number: 09/751,278

Art Unit: 3729

DETAILED ACTION

1. Receipt is acknowledged of the "conditional" request for RCE application is acceptable and a RCE has been established. An action on the CPA follows.

Election/Restrictions

- 2. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - Claims 41-50, drawn to a method for aligning an antenna reflector with a satellite, classified in class 29, subclass 600.
 - II. Claim 51, drawn to a method for aligning an antenna reflector with a satellite classified in class 29.

The inventions are distinct, each from the other because of the following reasons: Inventions I and II are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because invention I does not require the particularly step of: "inserting a pin protruding from a compass into a hole in the antenna reflector, inserting another pin...etc." as cited in claim 51, lines 1-5. The invention II has separate utility such as coupling a compass to an antenna reflector by inserting pins to the holes in the reflector.

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- 3. Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.
- 4. A telephone call was made to Thomas J. Edgington on 10/03/2002 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Trinh whose telephone number is (703) 305-2887. The examiner can normally be reached on Monday -Thursday 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on (703) 308-1789. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7307 for regular communications and (703) 305-3579 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

mt

October 3, 2002

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SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 3700